

REMARKS

Claims 5, 6, 9 and 12, as amended, remain herein. Claims 1-4, 7, 8, 10 and 11 also remain herein, but are currently withdrawn from consideration.

1. Claim 12 was rejected under 35 U.S.C. § 101 as allegedly claiming nonstatutory subject matter. Claim 12 has been amended more clearly to recite statutory subject matter thus mooting the rejection. Withdrawal of the rejection is respectfully requested.

2. Claims 5, 6, 9 and 12 were rejected under 35 U.S.C. § 102 (e) over Horikomi '603.

Applicants herewith submit an English translation of the certified Japanese priority Patent Application No. 2001-057749, thereby antedating Horikomi '603. Horikomi '603 is not a *de jure* § 102 (e) reference under U.S. patent law. Horikomi '603 has a U.S. filing date of February 13, 2002, well after the proven March 2, 2001 filing date of applicants' Japanese priority application. Further, Horikomi '603's parent Japanese application (JP 2001-038348) was published in August 30, 2002, also after the March 2, 2001 Japanese priority date of the present application.

Therefore, withdrawal of the rejections of claims 5, 6, 9 and 12 based on Horikomi '603 is respectfully requested.

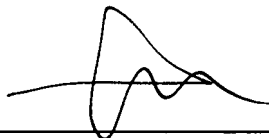
Accordingly, this application is now fully in condition for allowance and a notice to that effect is respectfully requested. The PTO is hereby authorized to charge/credit any fee

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deficiencies or overpayments to Deposit Account No. 19-4293 (Order No. 28951.1134). If further amendments would place this application in even better condition for issue, the Examiner is invited to call applicant's undersigned attorney at the number listed below.

Respectfully submitted,

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